



Community Development Department  
111 North 100 East  
Washington City, UT 84780  
Phone (435) 656-6325  
Fax (435) 656-6371  
www.washingtoncity.org

---

---

## Minutes

### WASHINGTON CITY PLANNING COMMISSION

December 2, 2015

Present: Commissioner Shepherd, Commissioner Papa, Commissioner Martinsen, Commissioner Hardman, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Burke Cartwright, Stephen Simister, Brandee Walker, Clayton Platt, Noah Winkle, Charles Cummings, Cael Hokanson, Ben Winkle, Legend Dennett, Nic Baum, Jake Bean, Stephen Skokos, Doug Dennett, Weley Dennett, Cristy Dennett, Robert Brush, Terry Keefe, Jann Keefe.

Meeting called to order: 5:30 PM Commissioner Shepherd excuses Commissioner Smith and Commissioner Henrie. Commissioner Shepherd welcomed Troop 1793.

Invocation: Commissioner Hardman

Pledge of Allegiance: Scout from Troop 1793

#### 1. APPROVAL OF AGENDA

A. Approval of the agenda for December 2, 2015.

Commissioner Hardman motioned to approve the agenda for December 2, 2015 with change to item 6 A&B to public hearing, notices were sent.

Commissioner Papa seconded the motion.

Motion passed unanimously.

#### 2. APPROVAL OF MINUTES

A. Approval of the minutes from November 18, 2015.

Commissioner Papa motioned to approve the minutes from November 18, 2015.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

#### 3. DECLARATION OF ABSTENTIONS & CONFLICTS

NONE

#### 4. 2016 PLANNING COMMISSION MEETING SCHEDULE

A. Approval of the 2016 Planning Commission Meeting Schedule

Commissioner Papa motioned to approve the 2016 Planning Commission Schedule.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

.5. FINAL PLAT

- A. Consideration and recommendation to City Council for the Vincent Lane Townhomes located at approximately 500 West Vincent Lane. Applicant: Troy Wall

**Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the Vincent Lane Townhomes subdivision, located at approximately 500 West Vincent Lane. This particular subdivision is proposing 9 lots on an area covering 0.59 acres. The specific location of this subdivision is zoned Multiple-Family Residential (R-3), and the required Conditional Use Permit was approved on February 18, 2015. The Preliminary Plat was approved back on March 25, 2015.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved preliminary plat.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Vincent Lane Townhomes subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved amended preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Commissioner Hardman asked about the Post Construction Maintenance Agreement and who approves that.

Mr. Ellerman stated it has to do with State regulations and Public Works reviews and approves the agreement and it is recorded. It goes through EPA and the State.

Commissioner Hardman asked if it is a water issue or does it include the common area.

Mr. Ellerman stated it mostly deals with drainage.

Commissioner Shepherd asked if the Fire Marshall or other staff has any concerns.

Mr. Ellerman stated construction drawings have been done and staff has done their review before a final plat application is submitted. When it comes time to record public works has to sign the mylar before it can be recorded.

Commissioner Shepherd asked about the access through the Erin Kimball property.

Mr. Ellerman stated there is an egress, ingress easement in place.

Commissioner Papa stated he recalls that when this was first brought the commission before he commented about the traffic in this area and getting onto Telegraph.

Mr. Ellerman stated there is a signal light being worked on. This project will bring the numbers to warrant the light.

Lester Dalton stated the post construction maintenance agreement came in to affect 2007 based on a MS4 Permit. The EPA discharge permit. Within 18 months it provided a procedure to help with sediment and drainage and grading. It was created to help with best practice to maintain the project. That agreement allows the city to maintain it and back charge the property owner or developer if they don't maintain it.

Commissioner Papa asked about the streambeds and discharge wastewater.

Mr. Dalton stated all development is discharge to the city. If the storm water discharges to the river it is our responsibility. He stated Pheasant Valley Bio Fuels had a release vent with one of their tank that over pressurized it came out the roof fell down the rain gutter onto the landscaping, parking lot and they caught it before it got to the roadway.

Commissioner Papa stated that is what the Post construction Maintenance Agreement is intended to accomplish. He asked if the agreement stays with the property.

Mr. Dalton stated it does stay with the property and the only way that can be released is through a process with the city.

**Commissioner Papa motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Martinsen seconded the motion.**

**Motion passed unanimously.**

- B. Consideration and recommendation to City Council for Homesteads at Stucki Farms Phase 1 located at approximately 875 East 4700 South. Applicant: Karl Larson

### **Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the Homesteads at Stucki Farms, Phase 1 subdivision, located at approximately 875 East 4700 South. This particular subdivision is proposing 24 lots on an area covering 12.20 acres. The specific location of this subdivision is zoned Planned Community Development (PCD). The Preliminary Plat was approved back on May 27, 2015.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved amended preliminary plat.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final Plat for the Homesteads at Stucki Farms, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.

4. When applicable, in the General Notes where the terms “Home Owners Association”, or “Property Owners” are used, they shall be changed to read as “Property Owners and/or Home Owners Association”.

5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Mr. Ellerman stated the only change is in the cul de sac. There is one less lot but it wasn't enough of a change to require an amendment to the plat.

**Commissioner Papa motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Martinsen seconded the motion.**

**Motion passed unanimously.**

6. CONDITIONAL USE PERMIT

- A. Public Hearing to consider approval of a Conditional Use Permit C-15-10 request for a stick built home in a MH Mobile Home zone located at approximately 79 South 300 East in the Palo Verde Mobile Home Estates lot 22. Applicant: Doug Dennett

**Background**

Drew Ellerman stated the applicant is requesting approval of a Conditional Use Permit to develop a new site built home located at approximately 79 South 300 East (lot #22 of the Palo Verde Mobile Home Estates subdivision). The site of this particular application is actually zoned Mobile Home, and is an established lot within a mobile home development. Neither the permitted uses or conditional uses list a site built home as allowed in Mobile Home zoned properties. Fortunately, within the zoning district, subsection ‘C’ of Title 9-8E-2, titled “Other” allows for certain request to be applied for through Planning Commission approval.

This particular paragraph within this Mobile Home zoning district states that “other uses, not listed as permitted or conditional uses in other zones, which are determined by the planning commission to be in harmony with the character and intent of this zone” may be allowed.

Staff has reviewed the request and the zoning regulations as outlined, and has determined that the request for a conditional use permit for this type of use at this particular location, does comply and conform with the intent and would be in harmony with this particular zoning district.

The applicant has also presented a site plan of the property, showing building location, parking, and access to 300 East onto and off of the property which is one of staffs biggest concerns.

### **Recommendation**

Staff recommends that the Planning Commission approve C-15-10, allowing for a site built home to be located at approximately 79 South 300 East, based on the following findings and subject to the following conditions:

### **Findings**

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan, and
5. The proposed use will be in harmony with the character and intent of the Mobile Home Zoning district.

### **Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.
2. A building permit, with associated construction plans, will be obtained through the Building Department before any construction work.
3. The necessary utilities will be installed and/or upgraded at the site before a certificate of occupancy is issued.
4. The site will be developed as per the site plan exhibit.
5. A turn around area will be provided in the front yard setback (and signed "No Parking") to allow for forward movement only as vehicles enter onto 300 East Street. This turn around area will be surfaced with the same material used for the driveway from the street to the garage.

Commissioner Shepherd asked about Washington Fields Road and if it will be widened in this area.

Lester Dalton stated there is a plan to widen that area of Washington Fields Road when needed. Originally the widening was to be to Telegraph but it didn't get done and the future plan is to widen Washington Fields Road to Telegraph. Palo Verde mobile Home lot 22 wouldn't be affected if it is, it would be minamal.

Commissioner Papa asked about a request for a basement and if there are any concerns.

Mr. Ellerman stated it would be difficult for this home because it is small. He stated he would recommend that the house be set back further so if the road is widened it would not affect the property because the home would be setback enough and that would prevent the city having to buy the property. He would recommend a 25-foot setback to the front.

Doug Dennett stated he looked at doing a mobile home but wanted to do something better because it is along 300 East. He stated the 25-foot setback is okay and they wouldn't do a basement.

Commissioner Shepherd opened the public hearing.

Burke Cartwright asked if cars could be parked in a setback area. He stated this appears to need the 25-feet and what would prevent them from parking in the setback and would they need to landscape it.

Commissioner Shepherd answered anyone would be able to use the setback but not for this request. They are stating tonight that they don't park in the setback area.

Mr. Ellerman stated he is sure that Mr. Dennett would landscape and place a sign of no parking due to safe reasons.

Attorney Starkey stated CC&Rs are already in affect.

Mr. Ellerman stated in the mobile park there is very little front yard landscaping.

Commissioner Hardman asked about CC&Rs.

Mr. Ellerman stated the city doesn't regulate CC&Rs.

Commissioner Papa motioned to close the public hearing.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

**Commissioner Papa motion to approve the conditional use permit with an added condition #6 that there is a 25-foot setback off of 300 East minimum.**

**Commissioner Martinsen seconded the motion.**

**Motion passed unanimously.**

- B. Public Hearing to consider approval of a Conditional Use Permit C-15-11 request for Side yard setback relief located at 1372 South Sandhill Drive. Applicant: Doug Dennett

**Background**

Drew Ellerman stated the applicant is requesting approval of a Conditional Use Permit for a reduction in the side yard setback on the southern interior lot line, from the required ten-foot (10') to a three foot (3') setback. The project is located at 1372 South Sandhill Drive. The applicant is wishing to develop their business, with the associated building, on this property.

The new office/storage building will be required to meet the standards as outlined in the city adopted building and fire codes. Staff feels that if those can be met, then the request should be granted for the reduced setback.

**Recommendation**

Staff recommends that the Planning Commission approve C-15-11, allowing for a reduction of the southern side yard setback, as shown in the applicant's exhibit, to three feet (3'), based on the following findings and subject to the following conditions:

**Findings**

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

**Conditions**

1. All site improvements shall meet the requirements of City and State adopted codes.
2. All construction on the site will be in accordance with the adopted building and fire codes of the city.
3. Grading permit needs to be applied for and issued prior to construction beginning.
4. A Post Construction Maintenance Agreement will need to be recorded prior to the issuance of a Certificate of Occupancy.

Commissioner Hardman asked about the zoning.



Mr. Ellerman stated it is in an industrial park.

Commissioner Hardman stated he was surprised that it came as a conditional use permit in a permitted use per the zone.

Mr. Ellerman stated he felt that it is important to have a public hearing so neighbors can be aware of the change in setbacks. He stated it is pretty standard to do a conditional use permit.

Commissioner Shepherd asked if this affects a building next to this.

Mr. Ellerman stated it would not.

Commissioner Papa asked if the request is for one property line or 3 property lines.

Mr. Ellerman stated just the one to the south. He stated he will make sure that a copy of the request would be attached to the approval paperwork for the conditional use permit.

Commissioner Hardman asked for clarification on the overhead exhibit.

Mr. Ellerman reviewed the exhibits.

Doug Dennett stated there is a retaining wall about 3-4 in height. He stated they just want to utilize the parking. The building is for storing boats and items they want to keep in storage.

Commissioner Shepherd opened the public hearing.

No response.

Commissioner Papa motioned to close the public hearing.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

**Commissioner Hardman motioned to approve the conditional use permit with the recommendation, findings and conditions of staff.**

**Commissioner Papa seconded the motion.**

**Motion passed unanimously.**

## **7. GENERAL PLAN AMENDMENT**

- A. Public Hearing for consideration and recommendation to City Council for a General Plan Amendment request G-15-05 to change from CCOM Community Commercial to MD Medium Density located approximately 4300 South Washington Fields Road. Applicant: Stephen Simister

**Background**

Drew Ellerman stated the applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 4300 South Washington Fields Road. The requested area covers 2.00 acres. The current Land Use designation is Community Commercial (CCOM). The applicant is seeking to have the Land Use designation changed to the Medium Density Residential (MD) designation as outlined in the General Plan.

The request to amend this parcel is due to a change in possible future development. A short while back the owner thought the best use for this parcel that borders Washington Fields Road would be commercial development. But since that time, feels that all the frontage will not be needed for commercial use, and now wishes to put these two (2) acres back into residentially designated property. The current surrounding General Plan Land Use designations are Medium Density Residential to the east, Community Commercial to the north, Very Low Density Residential to the west, and Park to the south.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of G-15-05 to amend the General Plan Land Use Map as outlined above, to the City Council.

Commissioner Shepherd asked Mr. Ellerman to show the General Plan Use Map.

Mr. Ellerman displayed the map and explained the General Plan Use and the surrounding property and projects.

Commissioner Shepherd asked if this is the only commercial on this side of the road.

Mr. Ellerman stated yes. He stated there is a school coming in the area.

Commissioner Papa asked about the commercial and an intersection in the area.

Mr. Ellerman stated they are going to come in with their zone change very soon. They were in the staff developers meeting this morning.

Commissioner Shepherd opened the public hearing.

No response.

Commissioner Hardman motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Shepherd asked if the zoning will be the same as the adjacent project.

Mr. Ellerman stated yes.

**Commissioner Martinsen motioned to recommend approval to City Council with the recommendation of staff.**

**Commissioner Papa seconded the motion.**

**Motion passed unanimously.**

8. DISCUSSION ITEMS

A. Discussion of general information and future Planning Commission training.

Mr. Ellerman stated that there is a Planning Commission and City Council members training in St George on December 10, 2015 at 3:00 PM on public hearings and meetings. He announced that there would not be a meeting on December 16th.

**Commissioner Papa motioned to adjourn the Planning Commission Meeting.**

**Commissioner Martinsen seconded the motion.**

**Motion passed unanimously.**

**Meeting adjourned 6:55 PM**

Washington City

Signed by: Laurie Shepherd, Pro Tem  
Laurie Shepherd, Pro Tem

Attested to: Kathy Spring  
Kathy Spring, Zoning Technician